

# STATE OF WISCONSIN

## Senate Journal

### May Special Session

12:00 P.M.

Thursday, May 19, 1994

The Senate met.

The Senate was called to order by Brian D. Rude, President of the Senate.

The roll was called and the following Senators answered to their names:

Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Stitt, Weeden, Wineke and Zien — 33.

Absent — None.

Absent with leave — None.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Schultz led the Senate in the pledge of allegiance to the flag of the United States of America.

Senator Schultz, with unanimous consent, asked that the Senate recess until 2:14 P.M..

12:12 P.M.

#### RECESS

2:14 P.M.

The Senate reconvened.

#### COMMITTEE REPORTS

The joint committee on Finance reports and recommends:

##### May Special Session **Senate Bill 1**

Relating to controlled substances violations and motor vehicle operating privileges.

Passage:

Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

##### May Special Session **Senate Bill 2**

Relating to: court orders that may be entered on the basis of a statement acknowledging paternity; requirements for parents, insurers and employers with respect to health care coverage for a child in actions affecting the family; a system for reporting child support liability and employment changes; allowing a court to

require a payer of child support or maintenance to authorize periodic transfers from a deposit account; various changes in actions to determine paternity; information that a court may consider when determining child support payments; requiring the court to use the child support standard used in divorce actions when setting child support to be paid for children in foster care and other substitute care situations; allowing females to be arrested in all civil actions in which males can be arrested; establishing a child support arrearage by affidavit; authorizing the clerk of court to escrow overpayments of support or maintenance for disbursement in the month when due; adjusting a withholding assignment for child support or maintenance so that withholding frequency corresponds to payroll period; expanding the authority of a family court commissioner in child support actions; guardians ad litem in actions to determine paternity; expressing child support in child support orders; tax intercept certifications; authorizing costs against a county if the child support payment record kept by the clerk of court is substantially incorrect; soliciting proposals for a centralized support collection and disbursement program; granting rule-making authority; making an appropriation; and providing a penalty.

Introduction and adoption of Senate amendment 1:

Ayes, 8 -- Senators Leean, Farrow, Cowles, Panzer and Chvala; Representatives Holperin, Brancel and Foti;

Noes, 7 -- Senators Weeden, Schultz and George; Representatives Linton, Hubler, Krug and Huber.

Introduction and adoption of Senate amendment 2:

Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 3:

Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 4:

Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 5:

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Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 6:

Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 7:

Ayes, 15 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 8:

Ayes, 14 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Krug, Huber, Brancel and Foti;

Noes, 1 -- Representative Hubler.

Passage as amended:

Ayes, 14 -- Senators Leean, Weeden, Farrow, Schultz, Cowles, Panzer and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 1 -- Senator George.

Joseph Leean  
Co-chair

Barbara J. Linton  
Co-chair

Senator Farrow, with unanimous consent, asked that the May Special Session **Senate Bill 2** be taken up.

**May Special Session Senate Bill 2**

Relating to: court orders that may be entered on the basis of a statement acknowledging paternity; requirements for parents, insurers and employers with respect to health care coverage for a child in actions affecting the family; a system for reporting child support liability and employment changes; allowing a court to require a payer of child support or maintenance to authorize periodic transfers from a deposit account; various changes in actions to determine paternity; information that a court may consider when determining child support payments; requiring the court to use the child support standard used in divorce actions when setting child support to be paid for children in foster care and other substitute care situations; allowing females to be arrested in all civil actions in which males can be arrested; establishing a child support arrearage by affidavit; authorizing the clerk of court to escrow overpayments of support or maintenance for disbursement in the month when due; adjusting a withholding assignment for child support or maintenance so that withholding frequency corresponds to payroll period; expanding the authority of a family

court commissioner in child support actions; guardians ad litem in actions to determine paternity; expressing child support in child support orders; tax intercept certifications; authorizing costs against a county if the child support payment record kept by the clerk of court is substantially incorrect; soliciting proposals for a centralized support collection and disbursement program; granting rule-making authority; making an appropriation; and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1?

Senator Risser moved rejection of Senate amendment 1.

The question was: Rejection of Senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 2; noes, 31; absent or not voting, 0; as follows:

Ayes — Senators George and Risser — 2.

Noes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 31.

Absent or not voting — None.

Rejection refused.

The question was: Adoption of Senate amendment 1?

Adopted.

The question was: Adoption of Senate amendment 2?

Adopted.

The question was: Adoption of Senate amendment 3?

Adopted.

The question was: Adoption of Senate amendment 4?

Adopted.

The question was: Adoption of Senate amendment 5?

Adopted.

The question was: Adoption of Senate amendment 6?

Adopted.

The question was: Adoption of Senate amendment 7?

Adopted.

The question was: Adoption of Senate amendment 8?

Adopted.

Senate amendment 9 to May Special Session **Senate Bill 2** offered by Senators George, Risser and Adelman.

The question was: Adoption of Senate amendment 9?

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Senator Buettner moved rejection of Senate amendment 9.

The question was: Rejection of Senate amendment 9?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Llean, Lorman, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden and Zien — 22.

Noes — Senators Adelman, Burke, Chvala, Clausing, George, Helbach, Jauch, Moen, Moore, Risser and Wineke — 11.

Absent or not voting — None.

Rejected.

Senate amendments 10 and 11 to May Special Session **Senate Bill 2** offered by Senator Adelman.

The question was: Adoption of Senate amendment 10?

Senator Llean moved rejection of Senate amendment 10.

The question was: Rejection of Senate amendment 10?

Rejected.

The question was: Adoption of Senate amendment 11?

Senator Buettner moved rejection of Senate amendment 11.

The question was: Rejection of Senate amendment 11?

Rejected.

Senate amendment 12 to May Special Session **Senate Bill 2** offered by Senator Helbach.

The question was: Adoption of Senate amendment 12?

Adopted.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

May Special Session **Senate Bill 2**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 2; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling,

Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Jauch, Lasee, Llean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 31.

Noes — Senators George and Risser — 2.

Absent or not voting — None.

Passed.

Senator Ellis, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Ellis, with unanimous consent, asked that May Special Session **Senate Bill 1** be taken up.

May Special Session **Senate Bill 1**

Relating to controlled substances violations and motor vehicle operating privileges.

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

May Special Session **Senate Bill 1**

Read a third time and passed.

Senator Ellis, with unanimous consent, asked that all action be ordered immediately messaged.

The joint committee on Finance reports and recommends:

May Special Session **Senate Bill 3**

Relating to civil commitment of sexually violent persons, sex offender registration and notice of release, granting rule-making authority, making an appropriation and providing a penalty.

Introduction and adoption of Senate amendment 1:

Ayes, 15 -- Senators Llean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Introduction and adoption of Senate amendment 2:

Ayes, 14 -- Senators Llean, Weeden, Farrow, Schultz, Cowles, Panzer and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 1 -- Senator George.

Introduction and adoption of Senate amendment 3:

Ayes, 15 -- Senators Llean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

Noes, 0 -- None.

Passage as amended:

Ayes, 15 -- Senators Llean, Weeden, Farrow, Schultz, Cowles, Panzer, George and Chvala; Representatives Linton, Holperin, Hubler, Krug, Huber, Brancel and Foti;

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Noes, 0 -- None.

Joseph Lecaan  
Co-chair

- Barbara J. Linton  
Co-chair

Senator Ellis, with unanimous consent, asked that May Special Session **Senate Bill 3** be taken up.

May Special Session **Senate Bill 3**

Relating to civil commitment of sexually violent persons, sex offender registration and notice of release, granting rule-making authority, making an appropriation and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1?

Senate substitute amendment 1 to May Special Session **Senate Bill 3** offered by Senator Adelman.

The question was: Adoption of Senate substitute amendment 1?

Senator Darling moved rejection of Senate substitute amendment 1.

The question was: Rejection of Senate substitute amendment 1?

Rejected.

The question was: Adoption of Senate amendment 1?

Adopted.

Senate amendment 1 to Senate amendment 2 to May Special Session **Senate Bill 3** offered by Senator Darling.

The question was: Adoption of Senate amendment 1 to Senate amendment 2?

Adopted.

The question was: Adoption of Senate amendment 2?

Adopted.

The question was: Adoption of Senate amendment 3?

Adopted.

Senate amendments 5, 6, 7, 8, 9, 10, 11 and 12 to May Special Session **Senate Bill 3** offered by Senator Adelman.

The question was: Adoption of Senate amendment 4?

Senator Darling moved rejection of Senate amendment 4.

The question was: Rejection of Senate amendment 4?

Rejected.

The question was: Adoption of Senate amendment 5?

CHAIR

4:24 P.M.

Senator Lasec in the Chair.

The question was: Adoption of Senate amendment 5?

Senator Darling moved that Senate amendment 5 be laid on the table.

The question was: Shall Senate amendment 5 be laid on the table?

Tabled.

The question was: Adoption of Senate amendment 6?

Senator Darling moved that Senate amendment 6 be laid on the table.

The question was: Shall Senate amendment 6 be laid on the table?

Tabled.

The question was: Adoption of Senate amendment 7?

Senator Darling moved rejection of Senate amendment 7.

The question was: Rejection of Senate amendment 7?

Senator Adelman, with unanimous consent, asked that Senate amendment 7 be returned to the author.

The question was: Adoption of Senate amendment 8?

Senator Darling moved rejection of Senate amendment 8.

The question was: Rejection of Senate amendment 8?

Rejected.

The question was: Adoption of Senate amendment 9?

Senator Darling moved rejection of Senate amendment 9.

The question was: Rejection of Senate amendment 9?

Rejected.

The question was: Adoption of Senate amendment 10?

Senator Darling moved rejection of Senate amendment 10.

The question was: Rejection of Senate amendment 10?

Rejected.

The question was: Adoption of Senate amendment 11?

Senator Darling moved rejection of Senate amendment 11.

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The question was: Rejection of Senate amendment 11?

Senator Adelman, with unanimous consent, asked that Senate amendment 11 be returned to the author.

The question was: Adoption of Senate amendment 12?

Senator Darling moved rejection of Senate amendment 12.

The question was: Rejection of Senate amendment 12?

Senator Adelman, with unanimous consent, asked that Senate amendment 12 be returned to the author.

Senator Moore moved that Senate amendment 5 be taken from the table and taken up.

The question was: Shall Senate amendment 5 be taken from the table and taken up?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes — Senators Adelman, Andrea, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moore, Plewa, Potter, Risser and Wineke — 14.

Noes — Senators Breske, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Moen, Petak, Rosenzweig, Rude, Schultz, Weeden and Zien — 18.

Absent or not voting — Senator Panzer — 1.

Refused to take up.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

CHAIR

4:54 P.M.

Senator Rude in the Chair.

May Special Session **Senate Bill 3**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien — 30.

Noes — Senators Adelman, George and Risser — 3.

Absent or not voting — None.

Passed.

Senator Ellis, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Ellis, with unanimous consent, asked that the Senate return to the eighth order of business.

MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

May Special Session **Assembly Bill 1**

May Special Session **Assembly Bill 3**

Amended and concurred in as amended:

May Special Session **Senate Bill 2**, Assembly amendments 1 and 2

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

May Special Session **Assembly Bill 1**

Relating to controlled substances violations and motor vehicle operating privileges.

By Joint Committee on Finance, by request of Governor Tommy G. Thompson.

Read first time.

The Chair, with unanimous consent, asked that May Special Session **Assembly Bill 1** be taken up.

Read a second time.

Ordered to a third reading.

Senator Farrow, with unanimous consent, asked that the bill be considered for final action at this time.

May Special Session **Assembly Bill 1**

Read a third time and concurred in.

Senator Ellis, with unanimous consent, asked that the May Special Session **Senate Bill 2** be taken from the message and taken up.

May Special Session **Senate Bill 2**

Relating to: court orders that may be entered on the basis of a statement acknowledging paternity; requirements for parents, insurers and employers with respect to health care coverage for a child in actions affecting the family; a system for reporting child support liability and employment changes; allowing a court to require a payer of child support or maintenance to authorize periodic transfers from a deposit account; various changes in actions to determine paternity; information that a court may consider when determining child support payments; requiring the court to use the child support standard used in divorce actions when setting child support to be paid for children in foster care and other substitute care situations; allowing females to

be arrested in all civil actions in which males can be arrested; establishing a child support arrearage by affidavit; authorizing the clerk of court to escrow overpayments of support or maintenance for disbursement in the month when due; adjusting a withholding assignment for child support or maintenance so that withholding frequency corresponds to payroll period; expanding the authority of a family court commissioner in child support actions; guardians ad litem in actions to determine paternity; expressing child support in child support orders; tax intercept certifications; authorizing costs against a county if the child support payment record kept by the clerk of court is substantially incorrect; soliciting proposals for a centralized support collection and disbursement program; granting rule-making authority; making an appropriation; and providing a penalty.

Read.

The question was: Concurrence of Assembly amendment 1?

Concurred in.

The question was: Concurrence of Assembly amendment 2?

Concurred in.

**May Special Session Assembly Bill 3**

Relating to civil commitment of sexually violent persons, sex offender registration and notice of release, granting rule-making authority, making an appropriation and providing a penalty.

By Joint Committee on Finance, by request of Governor Tommy G. Thompson.

Read first time.

Senator Ellis, with unanimous consent, asked that May Special Session **Assembly Bill 3** be taken up.

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

**May Special Session Assembly Bill 3**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Jauch, Lasee, Llean, Lorman, Moen, Moore, Panzer, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Weeden, Wincke and Zien — 30.

Noes — Senators Adelman, George and Risser — 3.

Absent or not voting — None.

Concurred in.

Senator Ellis, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Ellis, with unanimous consent, asked that the Senate return to the fourth order of business.

**COMMITTEE REPORTS**

The committee on Senate Organization reports and recommends:

**May Special Session Senate Joint Resolution 1**

Relating to the final adjournment of the May 1994 special session.

Introduction:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Jauch and Risser;

Noes, 0 -- None.

Michael G. Ellis  
Chair

Considered as privileged and taken up.

**May Special Session Senate Joint Resolution 1**

Relating to the final adjournment of the May 1994 special session.

Read.

Adopted.

Senator Ellis, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Ellis, with unanimous consent, asked that the Senate adjourn pursuant to May Special Session **Senate Joint Resolution 1**.

5:09 P.M.

## May 1994 Special Session

WEDNESDAY, May 25, 1994

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The chief clerk makes the following entries under the above date.

### MESSAGE FROM THE ASSEMBLY

By Thomas T. Melvin, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has concurred in:

**Senate Joint Resolution 1, May 1994 Special Session**